

MESSAGE NO: 7032307 MESSAGE DATE: 02/01/2017

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: ALIWE-Auto Liq Exception

FR CITE: 82 FR 4294 FR CITE DATE: 01/13/2017

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-831

EFFECTIVE DATE: 01/13/2017 COURT CASE #:

PERIOD OF REVIEW: 11/01/2015 TO 10/31/2016

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Automatic liquidation instructions for fresh garlic from the People s Republic of China for the period 11/01/2015 through 10/31/2016 (A-570-831)

1. Commerce does not automatically conduct administrative reviews of antidumping duty orders. Instead, reviews must be requested pursuant to section 751(a)(1) of the Tariff Act of 1930, as amended, and in accordance with 19 CFR 351.213.
2. Commerce has not received a request for an administrative review of the antidumping duty order for the period and on the merchandise identified below except for the firms listed in paragraph 3. Therefore, in accordance with 19 CFR 351.212(c), you are to liquidate all entries for all firms except those listed in paragraph 3 and assess antidumping duties on merchandise entered, or withdrawn from warehouse, for consumption at the cash deposit or bonding rate in effect on the date of entry.
3. Entries of merchandise of the firms listed below should not be liquidated until specific instructions are issued. Continue to suspend liquidation of all entries of merchandise exported by the listed firms entered, or withdrawn from warehouse, for consumption during the period 11/01/2015 through 10/31/2016.

Company: Zhengzhou Harmoni Spice Co., Ltd.

Case number: A-570-831-006

Company: Jinxiang Jinma Fruits Vegetables Products Co., Ltd.

Case number: A-570-831-011

Company: Qingdao Xintianfeng Foods Co., Ltd.

Case number: A-570-831-032

Company: Qingdao Tiantaixing Foods Co., Ltd.

Case number: A-570-831-040

Entries may also have been made under A-570-831-000

Company: Jinan Farmlady Trading Co., Ltd.

Case number: A-570-831-044 ‘

Company: Qingdao Sea-line International Trading Co., Ltd.

Case number: A-570-831-052

Company: Shenzhen Xinboda Industrial Co., Ltd.

Case number: A-570-831-056

Company: Shijiazhuang Goodman Trading Co., Ltd.

Case number: A-570-831-062

Company: Shandong Jinxiang Zhengyang Import & Export Co., Ltd.

Case number: A-570-831-063

Company: Weifang Hongqiao International Logistics Co., Ltd.

Case number: A-570-831-064

Company: Shenzhen Bainong Co., Ltd.

Case number: A-570-831-067

Company: Jining Yifa Garlic Produce Co., Ltd.

Case number: A-570-831-068

Company: Jining Shunchang Import & Export Co., Ltd.

Case number: A-570-831-079

Company Jinxiang Feiteng Import & Export Co., Ltd.

Case number: A-570-831-080

Company: Jining Shengtai Fruits & Vegetables Co., Ltd.

Case number: A-570-831-082

Company: Jining Yongjia Trade Co., Ltd.

Case number: A-570-831-083

Company: Jinxiang Hejia Co., Ltd.

Case number: A-570-831-085

Company: China Union Agri. (Qingdao) Co., Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-831-000.

Company: Hebei Golden Bird Trading Co., Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-831-000

Company: Jining Alpha Food Co., Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-831-000

Company: Jinxiang Shengtai Fruits & Vegetables Co., Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-831-000

Company: Juxian Huateng Food Co., Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-831-000

Company: Juxian Huateng Organic Ginger Co., Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-831-000

Company: Qingdao Hailize (Sea-line) International Trading Co., Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-831-000

Company: Qingdao Jiashan Trading Co., Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-831-000

Company: Qingdao Jiuyihongrun Foods Co., Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-831-000

Company: Qingdao Joinseafoods Co., Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-831-000

Note: The company name was inadvertently not listed in the initiation notice but will be included in the next initiation notice.

Company: Qingdao Ritai Food Co., Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-831-000

Company: Shandong Helu International Trade Co., Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-831-000

Company: Weifang Wangyuan Food Co., Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-831-000

Company: Zhengzhou Yudi Shengjin Agricultural Trade Co., Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-831-000

Note: The company name was inadvertently not listed in the initiation notice but will be included in the next initiation notice.

Company: Zhengzhou Yudi Shengjin Farm Products Co., Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-831-000

Note: The company name was inadvertently not listed in the initiation notice but will be included in the next initiation notice.

Company: Zhonglian Nongchan Co., Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-831-000

CBP officers must also examine entries under A-570-831-000 and all existing company-specific case numbers to ensure the continued suspension of liquidation of entries during the applicable period of review for the exporters listed above.

4. There are no injunctions applicable to the entries covered by this instruction.

5. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2 occurred with the publication of the notice of initiation of administrative review for the 11/2016 anniversary month (82 FR 4294, 01/13/2017). Unless instructed otherwise, for all other shipments of fresh garlic from the People's Republic of China you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

6. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OVII: AC.)

9. There are no restrictions on the release of this information.

Alexander Amdur

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party